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FACTITIOUS HISTORY.

THE Government of the United States is so constructed that rebellion against it can never be justifiable. It not only springs from the people, but refers back all its powers to them at so frequent intervals that it can never misrepresent them or thwart their wishes so long as to make revolution preferable to endurance of the wrong. In two years we can change the whole House of Representatives; in four years we can change two thirds of the Senate; in four years we can elect a new President. More than this, if the President commits any flagrant violation of his trust, we can impeach him at once; and we can at any time change the Constitution in any respect save one.

The patience of the best people of the country, under wrongs that might have justified insurrection, if committed by an unchangeable government, has been several times exemplified. Perhaps the most notable instance of this was when they saw inaugurated and re-inaugurated as chief magistrate a man of violent temper, narrow mind, and domineering spirit, whose associations had been mainly with the worst elements of the population, and who was accused of eight murders, not to mention a duel in which he had been the challenger and had killed his antagonist. They saw him initiate a system of political spoils which has been the curse of the country ever since. They saw him plunge the business community into financial distress, because the managers of the United States Bank would not permit him to include its offices in the rewards that he distributed to his political friends. They saw him take the poor creature who had willingly been his instrument for this absolute work, when others had preferred the alternative of retiring from the Cabinet, and place him at the head of the Supreme Court, where he sat for twenty-seven years, and became noted for nothing but

his attempt to murder the manhood of an unfortunate race. They saw and endured all this, though protesting against it continually, demonstrated the sublime strength of patience, and bided their time. The power thus constitutionally established, it required a quarter of a century to overcome by constitutional means. And when at last this was accomplished, or partly accomplished, by the election of a President noted for the purity of his character, the keenness of his intellect, and the mildness of his political creed, a great insurrection burst upon us. When the office of chief magistrate was given to Andrew Jackson, and afterward to his political disciples, Polk, Pierce, and Buchanan, the friends of liberty endured it. When Abraham Lincoln was elected, the slave-holders rebelled.

That there should be a rebellion against such a government, by a portion of the people who had so long controlled its administration, and in the ordinary fluctuations of political power might hope to control it again, seems like a paradox. The explanation is, that though the insurrection of 1861 was in form a rebellion against the United States Government, it was in fact a rebellion against something else—against civilization itself. The Government had done all it could for the institution of slavery in the Southern States; but it could not check the growth of public opinion, or guard against the gradual enlightenment of the public conscience, or forestall the logical consequences of the great principles of liberty set forth in the Declaration of Independence. Above all, it could not abrogate the laws of political economy and prevent the streams of immigration from flowing toward those sections where free labor and free thought gave them welcome.

Of the pretexts urged to justify the attempt at secession, not one was true. Not only had Mr. Lincoln solemnly and officially declared his purpose not to interfere with the constitutional rights of the South, but the Congress elected at the same time presented a majority politically opposed to him. The Southern members had only to sit still in their seats, and the institution they were there to represent could have received no harm from the Government, whatever might have been the disposition of the chief magistrate. And again, if both President and Congress had been inimical to slavery, secession, so far from being a remedy for the difficulty, would have made it worse. The slave fleeing from his master, before he could reach absolute safety, must cross hundreds of miles of territory where he was liable to

recapture; but let the country be divided as proposed, and the liberty-line would have been brought down from the borders of Canada almost to the door of his cabin. It is impossible to believe that the leaders of the secession movement had so little forecast as not to perceive this; and if they did perceive it, peaceable secession could not have been their plan. There was no Gulf of Mexico on their northern border, no Atlantic Ocean on their western; if the Government had said, Go in peace, and they had gone in peace, a tub without a bottom might have held water as easily as the Confederacy could have held its slaves. War, then, was a necessary accompaniment of secession; and the secessionists meant to make it a war that should humiliate the North, and enable the victorious and glorified South to dictate the terms of separation and peace; the all-important articles being those which should secure to the Confederacy at least half of the unsettled Territories, and to the slave-holder the same privilege of pursuing his slaves across the free States that he had enjoyed under the Constitution, with perhaps an annual rendering of bills for losses by escapes, which the Northern Government must pay. If this failed, the plan that would naturally have presented itself next would be, to convert the great slave-republic into a virtual aristocracy; the slave-holders, of course, being the ruling class, the negroes (all free blacks being reduced to slavery) the laboring class, and the poor whites forming a standing army, officered by slave-holders' sons, to guard the borders and keep down insurrection. And war was not more necessary to the logic of secession than to the practical engineering of the scheme. Said Gilchrist, of Alabama, to Mr. Davis's Secretary of War, before the attack on Fort Sumter, "You must sprinkle blood in the faces of the people. If you delay two months, Alabama stays in the Union."

The great conspiracy failed because it depended upon a misconception of the Northern character and a miscalculation of chances with regard to foreign nations. It was believed that a few swift and brilliant victories would overcome a people unaccustomed to arms, whose long patience with the aggressions of the slave power had given some color to the assertion that they cared for nothing but trade, and were incapable of martial deeds.

How the manhood of the loyal States rose to the occasion, has been often told; but, so far as I am aware, no adequate reason has ever been assigned for England's failure to interfere, after it

had become evident that, without such interference, the Confederacy was doomed. Many of her people had never forgiven us for our own Revolution, the only successful rebellion ever waged against British authority; and it is not to be supposed that they would have felt any regret at seeing the great republic destroyed. The aristocratic classes were avowedly hostile; the mercantile classes hardly less so; and an eminent English historian, Freeman, made haste to publish, in 1862, the first volume of a "*History of Federal Government, from the Foundation of the Achæan League to the Disruption of the United States.*" Probably the second volume will not appear till the disruption has taken place. To those who had been long accustomed to hear English reproaches on the subject of slavery, it was a singular spectacle, when the question was brought to a life-and-death struggle, to see so much of English sympathy and influence given to the slave-holders. But they were good customers, and England lives by trade. As she had armed the copper-colored savages against us in the Revolution and the war of 1812, so now she armed the rebels also—with the difference that the rebels paid in cash or cotton, instead of scalps. She drove a brisk trade in all the accouterments of an army. Every rebel who lay dead on the field of Antietam bore the advertisement of a Birmingham manufacturer on every button of his uniform. If the South had established its independence, England was sure of the free trade that she coveted; and, if she chose to interfere in behalf of that independence, the assistance of France had not only been offered, but urged upon her. But, on the other hand, there was a more powerful consideration than all these combined, and it seems improbable that her statesmen could have overlooked it.

By the Treaty of Paris, signed by the great powers of Europe in 1856, privateering was abolished. The lesser powers of Europe, and some of those on this continent, accepted the general invitation to join in the treaty. The United States Government offered to accept it and join in it on one condition: that a clause be inserted declaring that private property on the high seas, if not contraband of war, should be exempt from seizure by the public armed vessels of an enemy, as well as by private ones. The powers that originally made the treaty declined to make this amendment, and so our Government did not become a party to it. When the rebellion broke out, and Mr. Davis proclaimed the readiness of the rebel authorities to

issue letters of marque, our Government offered to accept the treaty without amendment; but England and France declined to permit us to become a party to it, if its provisions against privateering were to be understood as applying to the vessels sent out under authority of the Confederates. As this was Secretary Seward's sole object, of course the matter was dropped. The rebels were thus left at liberty to prey upon our commerce, but, at the same time, our Government was left at liberty to send out privateers against any power with which it might become involved in war. In this matter, Mr. Seward was not so unfortunate, nor Earl Russell so wise, as either of them may have supposed. By the refusal, England gained the privilege of sending out swift steamers under the rebel flag to destroy our shipping; but if she had assented, she would have gained an opportunity to ruin our country. When the war had reached its bloodiest stage, and Napoleon was urging England to join him in intervention, a very plausible pretext might have been made on the score of humanity. But it had now been demonstrated, by those very Anglo-rebel cruisers, what a tremendous power privateering could be made with the help of steam, and the British Government had been notified by ours that any further unfriendly acts on its part would be followed by immediate war. Think of such a war under such circumstances. The navies of France and England combined could not blockade the harbors of the New England coast, and from those harbors would have sailed a swarm of privateers that could have swept British commerce from every sea, and the British islands, teeming with a population much larger than their own soil can support, would have sent up the wail of famine like a beleaguered city.

Thus the Americans were left to fight out their own war to the bitter end—a contest in which the dramatic proprieties were curiously preserved. The side that fought for slavery, having all the advantages at the outset, boisterous over its victories, and boasting of its prowess, winning the admiration of short-sighted spectators, and apparently moving on to triumph when it was really rushing to its downfall, may be properly called the villain of the piece. The side that strove for liberty in its largest sense, and prosperity in its greatest possibilities, waking more slowly to the situation, and gathering up its giant strength under giant disadvantages, comes out at last the hero and the conqueror, but with mournful losses, and chief among them its great leader,

struck down in the hour of triumph, suggesting anew the mournful lesson that the redeemer's life must always be the price of redemption. Even the after-play of the conspirators quarreling among themselves has not been wanting.

The character of the contest, begun by the rebels upon false pretexts, was in keeping throughout. There was nothing heroic in their struggle, with the sole exception of their physical courage displayed on the battle-field—a quality which every writer on the subject has sufficiently acknowledged. Their boasts at the outset that one Southerner would prove equal to five Yankees, their repudiation of debts due to Northern creditors, their sending in flags of truce to reclaim fugitive slaves, their complaints at the non-interference of foreign powers, their ludicrous definition of chivalry, their falsified or suppressed reports of every important campaign, their carving of ornaments from the bones of their dead enemies, to be worn as jewelry by their sweethearts, the spitings and spittings of their women in captured cities, their taking of insincere oaths in order to draw rations from the United States commissariat, their preparation of preposterous school-books for exclusive use in the Confederacy,—all these things would justify us in pronouncing the “lost cause” the most vulgar known to history, were it not that the enormous bloodshed and deliberate atrocities—the destruction of nearly three hundred thousand loyal lives, the persecution and torture of the East Tennesseans, the selling into slavery of free black men captured in battle, the systematic starving of prisoners at Andersonville, Florence, and Belle Isle, the massacre at Fort Pillow, the execution of North Carolinians, and the attempt to import yellow fever into Northern cities—demand a darker name, and overshadow the vulgarity with the hideousness of the stupendous crime.

There had been half a dozen insurrections in the United States before the great one, and it is a significant fact that in the case of every one that was directed against slavery—like Nat Turner's and John Brown's—the insurgents suffered the extreme penalty of the law, while in the case of all others—like Shays's rebellion, and Fries's, and the whisky war—they were either pardoned outright or only very mildly punished. The great rebellion, gotten up to extend and perpetuate the system by which one man eats his bread in the sweat of another man's face, followed the same law, and not a rebel of them all was hanged, save one

individual, who was executed for violating the laws of war. They who had never known how to forgive, were pardoned by wholesale; while they who had been persistently accused of hatred and malice, and every devilish motive imaginable, relinquished the opportunity of sending to the gallows insurgents who had committed the double offense of beginning war without a just cause, and continuing it without a reasonable prospect of success. Probably no other government on earth would have been so lenient. England had punished the last rebellion against her authority, only seven years before, by tying up the rebels in bundles and blowing them to fragments from the mouths of cannon; and since that period, France has been shooting Communists by platoons.

Hazardous as it may have seemed to let such an offense go by without putting a stigma upon it by executing the principal offenders, the nation could afford to be magnanimous if the rebels would learn to be modest. But when the short-lived political ban was removed from them, they began to look upon themselves as heroes, mistaking the nature of the leniency that had been shown them, and gradually there has grown up and perfected itself a sort of literary conspiracy, to glorify the achievement which they didn't achieve, to change the apparent motive of the war, to magnify the genius of the rebel generals, and belittle their conquerors—an endeavor to write into respectability the meanest of causes, and invest with a glamour of heroism the most inexcusable of crimes. This disposition first showed itself in the careful substitution of the term "civil war" instead of "rebellion," uniformly adopted by many standard publications to avoid offending any of their readers. It is true that it was a civil war, and we might generalize still more of its character out of sight by using the invention of a celebrated satirist, and calling it an "onpleasantnis." Specifically, it was a rebellion and nothing else. It never rose to the character of a revolution, for it never had possession of the capital or the public archives, never stopped the wheels of the Government for a single day, was suppressed in the end, and attained none of its objects. It is always good rhetoric, and generally good policy, to call things by the most specific name they will bear. Then came careful corrections of figures. The Confederate General So-and-so only had so many men at such a battle, instead of the larger number he has always been credited with, and only lost so many, while his

Federal antagonist had three times the number, and lost two and a half times as many as the records of the War Department say he did. Then, by some ingenious course of reasoning, a battle that has been scored as a victory for the national troops is shown to have been a sort of quiet triumph for the rebels. And this goes on till the reader wonders what became of all the men who were raked into the Confederate service by the wholesale conscriptions, and why the "cause" that won such a succession of victories was not finally successful. The atrocities of Andersonville were explained into nothingness long ago. The boys in blue lay on flowery beds of ease within that spacious and airy stockade, listening dreamily to the purl of the crystal brook that babbled at their feet, while the boys in gray at Elmira were suffering the tortures of the Inquisition. Lee, who never won an offensive battle, was the great general of the war. Grant was a blunderer—always blundering into success. General Sherman set fire to Columbia with his own hands, foolishly applying the torch before he had had any opportunity for plunder, while General Early burned his fingers in efforts to put out the fire at Chambersburg. General Butler stole all the silver spoons in New Orleans, but General Floyd was as honest as the day is long.

This literary conspiracy—which appears to have taken possession of the historical society at Richmond, and turned it into something like a bureau for the falsification of history—has culminated in the publication by Jefferson Davis of two large volumes, intended to set forth what he and his Confederacy tried to do for the cause of liberty, and how it happened that the powers of despotism defeated his beneficent plans.

Mr. Davis wishes his reader to give up the heretofore universal belief that the war was intended, on the part of the rebels, to perpetuate and strengthen the institution of human slavery, and conceive of it purely as a struggle for the abstract principle of State rights. As if an architect should tell us he was building an immense bridge over a broad and deep stream, at great cost of life and treasure, not because he wanted to carry any particular highway across at that point, but merely to illustrate a pet principle in architecture! Mr. Stephens, Vice-President of the Confederacy, could not have understood this, for in his celebrated Savannah speech of March 22, 1861, he said: "African slavery as it exists among us,—the proper *status* of the negro in our form of civilization—this was the immediate cause of the late

rupture and present revolution." "Its [the Confederacy's] foundations are laid, its corner-stone rests, upon the great truth that the negro is not equal to the white man; that slavery, subordination to the superior race, is his natural and normal condition. This stone, which was rejected by the first builders, 'is become the chief stone of the corner' in our new edifice."

Mr. Davis covers a great many pages with an elaborate argument to prove that under the Constitution of the United States each State was sovereign and free to withdraw at will. To do this, he uses the trick of the ventriloquist, who constantly calls the attention of his audience to the object from which he wishes them to think the voice proceeds, and never so much as turns their eyes toward the quarter whence it does proceed. Mr. Davis iterates and reiterates that all powers not specifically surrendered to the General Government were reserved to the States; but it would not be consistent with his purpose to call attention to the fact that the powers which were thus specifically surrendered included every power essential to sovereignty,—such as the making of war and peace, the negotiation of treaties, the coining of money, levying of imposts, collection of revenue, etc. To be brief, a single article of the Constitution—Article V.—destroys the whole theory of State sovereignty at a blow. This article provides that the Constitution may be amended at any time by a vote of three fourths of the States. Imagine a treaty between sovereign powers, containing a clause stipulating that it might at any time be changed, and still be binding upon all, though one fourth of them should refuse consent to the change! If the States retained their sovereignty, that article must have read, that the Constitution could only be changed by their unanimous vote. It is a curious fact that in the Confederate Constitution (closely copied in most respects after our own) this article was made still more destructive of State sovereignty, for there but a two-third vote was required for amendment. Under the United States Constitution, it was necessary to obtain a vote of three fourths of the States to coerce the other fourth into the acceptance of amendments which they did not approve, but under the Confederate it was only necessary to obtain a vote of two thirds in order to coerce the other third. And in either case the amendments might be anything, provided only that they did not affect the composition of the Senate. Mr. Davis lays great stress upon the fact—and makes needlessly copious citations to prove it—

that the States ratified the Constitution *as States*. By the same logic he might reason that because he surrendered to the national troops *as Jefferson Davis*, and not as Mrs. Davis's poor old mother going to the spring for water, therefore he was not a prisoner.

He elaborates his argument still further to show that sovereignty resides not even in the State governments, but in the people of each State in their collective capacity. How little the rebels really respected the rights of the States, may be seen by a glance at the case of Virginia. On the 4th of April the Convention of that State refused, by a vote of 89 to 45, to pass an ordinance of secession; on the 17th it passed such an ordinance, 88 to 55. Two things had happened in the mean time: Sumter had been fired upon, to sprinkle blood in their faces, as Gilchrist advised, and the Confederate Congress at Montgomery had passed an act forbidding the importation of slaves from States outside of the Confederacy, which would have been a death-blow to Virginia's business of breeding slaves for the cotton States. It was provided that the ordinance should not take effect till approved by a vote of the people, but the day fixed for the election was the last Thursday of May, six weeks after the action of the Convention! Long before that day arrived, the soil of the Old Dominion was overrun by soldiers from the cotton States, and any free expression of the wishes of the people was impossible. More than that, immediately after the passage of the ordinance by the Convention, without any pretense of waiting to see whether the people would ratify it, the State Government placed all her military resources at the service of the Confederate Government, and Mr. Davis, as the head of that government, accepted them and used them. What did he care for the sovereignty that resided in the people of Virginia? As Farragut remarked, and he was there at the time, she was "dragooned out of the Union." It fared little better with the people of some of the other seceding States; in fact, the only one in which there was an honest submission of the ordinance to popular vote was Texas.

The ex-President of the ex-Confederacy sets out to make a very complete case, not only proving that the Southern people had a clear right to secede, but that they were so harassed and persecuted they could not do otherwise, and that the whole war was one grand triumph of Confederate valor, skill, and humanity, as opposed to Northern cowardice, ignorance, and barbarism, except in the one little item of its final result. His book is pretty large,

but one wishes it might have been a little larger, so that in many instances where he sets forth one of a pair of facts he would not have been compelled, for want of space, to omit all mention of the other. For instance, he complains that before the war a Southern man could not travel in the North with his peculiar property, but says nothing of the other fact that at the same time a Northern man could not travel in the South with his opinions; that the mildest treatment there prescribed for man or woman suspected of entertaining abolition sentiments, was a notification to leave the State within twenty-four hours.

He tells us that large numbers of men from the Eastern States went to Kansas with rifles in their hands, furnished to them by ministers of the gospel and other wicked people. He does not tell us that these men were actual settlers, who had come there to establish their homes, and that other men were there with rifles in their hands, who were not settlers, but had only crossed the Missouri border to take charge of the elections.

He lays considerable stress on the fact, which he mentions several times, that the slave-trade was abolished by Southern votes and influence; but no reader who drew his information from this book alone would guess that this action of the South sprang not from any humane motives, but was merely a protection to home industry. Importation of slaves from Africa was a detriment to the slave-breeders of Virginia and Kentucky.

He complains that California was given to the free States, representing it as the entire avails of the war with Mexico. But that war resulted from the annexation of Texas—which, by the way, had been accomplished by a piece of Calhoun's trickery, merely on the strength of a joint resolution; the Senate having refused to make a treaty. A fair statement would be, that the avails of the Mexican war were Texas and California, one of which was given to the slave States and the other to the free.

Coming down to the war and its incidents, of course Mr. Davis is horrified at the conduct of General Butler in New Orleans, though he does not tell us which of his repressive measures he most abhors, his repression of the turbulent women by the famous Order 28, or his repression of the yellow fever by cleaning the city. To make his monstrousness appear the more monstrous, Mr. Davis briefly sketches the history of New Orleans, to show us what a quiet, orderly, peaceable city she was, and assures us that "no people were more characterized by refinement, courtesy, and

chivalry." Probably he never heard that in May, 1861, Mrs. Sarah Sanford, a native of Connecticut, employed as teacher in a grammar school in New Orleans, was taken by a mob to Lafayette Square, and there stripped naked and tarred and feathered, because she had expressed her belief that slavery was morally wrong, while an immense crowd of these refined and chivalrous people looked on and applauded the proceeding.

The voluble ex-President has considerably swollen the size of his book with praises of individual generals and of the Southern soldiery. His favorite adjective for the generals seems to be "knightly." How knightly one of his heroes, Stonewall Jackson, really was, may be gathered from the narrative of Pollard, the Southern historian. That writer tells us that "once an inferior officer was regretting that some Federal soldiers had been killed in a display of extraordinary courage, when they might as readily have been captured. Jackson replied curtly: 'Shoot them all; I don't want them to be brave!'" In striking and suggestive contrast with this was the exclamation of the "*Albany Journal*," edited by Thurlow Weed, when the news came that Jackson himself was killed: "We hoped for his capture, not his death." Mr. Davis's tributes to the soldiers in gray—for devotion to the "cause" and superiority to the national troops—are frequent and emphatic. Pollard tells us that "in the mid-summer of 1863, it was estimated that a half or three fourths of the Confederate forces were in the condition of desertion, straggling, and absenteeism; and ten thousand fraudulent substitute papers had been discovered in the archives of conscription."

Mr. Davis makes especially thorough work with everything that concerns himself personally, including his relations with various generals, against some of whom he evidently still entertains the prejudices that caused him to set them aside during the war, and put less able men in their places. He even explains the story of his capture in female garments—his version, by the way, not agreeing with that of his staff officer, Lieutenant Stuart, heretofore put forward as the authoritative one. It is difficult to see why that affair should require so much explanation. If Mr. Davis was the incarnation of a great and sacred political principle, which might yet survive the wreck of the Confederacy, he was justified in adopting any disguise that would serve the purpose of his preservation; if he was making his way to the coast simply to escape, with his own miserable life, from a

land that his teachings and his conspiracy had filled with graves and covered with mourning, fearing either an enemy he had professed to despise or an unhappy people he had led to ruin, what can it matter whether he was disguised as a woman or disguised as a man?

The remark that the time has not yet come for writing the history of the rebellion, so often repeated by unthinking critics, is a profound mistake. Certain inessential accuracies may be secured by waiting. But the question whether a few men more or less fell in this or that battle; whether, on a certain occasion, a certain detachment was ten miles away, or fifteen, is of little consequence in comparison with the great questions: What were the causes, what the animus of the war, how was it carried on, and what is its significance as a chapter of history? These things are being rapidly clouded over by the contributions of men who were on the wrong side; who have found out, at last, that the civilized world looks upon the holding of slaves, the starving of prisoners, and the fighting of hopeless campaigns, as stupendous crimes. When the chasm yawns in the forum, it never closes till the nation's choicest treasure has been cast therein. Three hundred thousand of the best men that ever lived went down to death in mid-manhood, rather than see the young republic perish. The field is theirs, for they won it; and it will be a ghastly solecism if the philosophy of their inspiration and the records of their valor are to be at the mercy of the same murderous hands that sent them to the grave. The events that led up to that war, and the operations of the war itself, were so vast and complicated that, if the telling of its story be left to a future historian, who must dig all his information out of documents and conflicting treatises, it is doubtful if any one life-time will be sufficient for the task. From somebody who was living at the time, and therefore need not stumble in the dark over cunningly constructed falsehoods; who was a witness of many of those strange circumstances which the ordinary historian, writing of antiquity, rejects or throws doubt upon because they are strange,—from such an author, founding his narrative on the simple truth, and not anxious to win anybody's cheap applause by making the right and wrong to appear equally balanced on either side, should come the complete story of the great war.

ROSSITER JOHNSON.